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The regular meeting of the Town Assembly of the Village of Arden was convened at 7:38 PM on March 26, 1990, Chairman William Press presiding.

In Attendance were:

Frank Young	Sally Hamburger	Pat Press
Bill Press	Rae F. Gerstine	Elizabeth Varley Walker
Jean K. Brachman	Bernie Brachman	Woodrow Vandever
Alex Sykulski	Eugene Shaw	Lew Aumack
Betty Knott	Matthew O'Connor	Irene O'Connor
Paul Thompson	Helen Macklem	Maryellen Jobson
Sally Thurston	William Bailey	Shaul Gladstone
Leon Tanzer	Susan Rohrbach	Steven Threefoot
Jannie Stearns	Matt Stearns	Maria Burslem
Alan Burslem	Drew Burslem	Bonnie Burslem
Cecilia A. Vore	Bill Theis	Don Holcomb
June Kleban	Bob Wynn (NV)	Ron Enie
Tim Colgan	Richard W. Pell	Mary Brent Whipple
Dane Miller	Debbie Theis	Al Marks
Estelle H. Frankel		Wayne Knotts

Chairman Press opened the proceedings with a request that residents give consideration to each speaker. He asked that we try to treat each other graciously. This was a specific request from the Advisory Committee at its recent retreat. An orientation meeting for newcomers was held in October to explain how the town works. Sixteen newcomers attended.

Agenda Clarification

This open forum is an opportunity for residents to briefly express their concerns to the Assembly. This idea also came from the Advisory retreat and we are trying it tonight for the first time.

*Frank Akutowicz stated that he finds strong floodlights objectionable - a form of pollution - when he walks at night. The light at the Buzz Ware Village Center is especially intrusive. Frank noted that there is a gate across the path from Lovers Lane which obstructs the right-of-way.

*Marge Mabrey commended leaseholders for trimming the foliage on the Grocery Path.

*Larry Walker knows someone who sells bashproof mailboxes that might be useful to residents due to the recent spate of mailbox bashing in Arden.

Minutes were approved.

Communications

Three letters relating to the Naamans Creek drainage situation will be read when that matter is discussed.

Elizabeth Varley Walker announced that Arden's patrolman, Ken Taylor, was unable to attend tonight's meeting. If you need to call the police, please ask for him by name. His number is 571-7930.

Committee Elections were held at this time. There were no nominations from the floor. The ballots will be counted 3/27.

COMMITTEE REPORTS

Trustees - Shaul Gladstone

Effective April 1, 1990, payment to staff has been increased to:
Administrative Assistant's salary - \$5220 per year
Secretary's salary - \$1650 per year
Office rent - \$1980 per year

\$150,000 in unexpended funds are currently invested in an 8% certificate of Deposit. If present rate of fund receipts is maintained, it is expected that an additional \$60,000 will be similarly invested during the first weeks in April, 1990.

Cy Liberman, our representative on the Citizens Advisory Group for Naamans Interceptor project, has reported that the New Castle County Dept. of Public Works will be requesting a 40 ft. easement through the Arden Woods to install a larger sewer line. He has suggested that the Trustees take an active part in opposing this. While the Trust turned over ownership of the woods to the Incorporated Village many years ago, we will assist in dealing with the County if requested by this Assembly. We believe, however, that it would be a propos for the Assembly, through its Chair or other designated representatives, to deal directly with the County.

Three years ago, the Town Assembly requested that the Trustees publish a rent list every three years. We have scheduled that publication for April, 1990, in spite of our feeling that it is an unnecessary expenditure of Village funds. The full rent list is available at all times in Rae Gerstine's office and may be inspected there. Copies are in the hands of each Trustee, any one of whom will be overjoyed to share the information with any resident or leaseholder upon request. The Trustees would appreciate rescinding of the previous Assembly request. Absent such action, we will proceed as outlined.

The Trustees have received a letter from Samuel and Dorothy Houes, of lots 86 1/4 A & B, to review the flooded condition of their lot, together with their perception of what has caused same. We have appointed a representative to investigate. In the meantime, we strongly the Board of Assessors to determine whether these or other lots have sufficient unusable area to warrant a negative rent factor. Such factors have been applied in the past for such reasons.

At the Advisory Committee retreat, the Trustees were requested to prepare a suggested change in the term "resident" as defined in Del. Code Chapter 125 - "An Act to Reincorporate the Village of Arden." The reason was to carefully define voting rights so as to ensure that a very small minority could not frustrate the desire of the majority in budgetary and other matters. Such a text has been prepared.

Definition of "Resident of Arden"

1. At present, a resident is defined as: a person, male or female above the age of 18 years, who shall have resided in the village for a period of 6 consecutive months immediately preceding each referendum or each meeting of the Town Assembly of Arden held pursuant to this Act.

II. We suggest leaving the above unchanged and adding subsections "b" through "f" as follows:

b) For purposes of voting, said resident shall have voted in at least 1 of the 2 immediately preceding referenda for which he or she was eligible, or shall have filed with the Chairperson of the Registration Committee an affidavit requesting reinstatement of voting rights. In the event of failure to comply with either of these 2 requirements, the Registration Committee shall mark said resident "ineligible to vote" on the list of registered voters,

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- and shall maintain said resident in such status until he or she files the required affidavit.
- c) If a resident moves from the Village while either eligible or ineligible to vote, said resident shall be stricken from the list of registered voters until eligibility is re-established under (a) above.
 - d) Whenever a referendum is conducted, majorities shall be calculated on the basis of the total number of residents eligible to vote.
 - e) Whenever a Town Assembly vote is conducted, majorities shall be calculated on the basis of the number of residents present who are eligible to vote. Ineligible residents shall not be counted as part of a quorum.
 - f) The Registration Committee shall make available at all Town Assembly meetings blank copies of voter reinstatement affidavits for use by any resident as defined in section (a).
- III. Implementation of this suggestion should proceed in three phases as follows:
- a) Consideration by the Town Assembly with appropriate changes as needed, followed by a resolution requesting the State Legislature to amend Chapter 125. The resolution should include reasons for the requested amendment.
 - b) Checking with our attorney for any suggestions.
 - c) Presentation of the final text and Town Assembly resolution to our State Senator and/or Representative for introduction in the Legislature.

Discussion:

Con:

- *Keeping track of voting habits could be a big bookkeeping problem. Wouldn't that effort be better spent in getting out the vote?
- *We should concentrate our energy on reaching out and involving people rather than excluding them. Let's give our plans for orienting new residents a chance to work first. Take a positive rather than a punitive outlook.
- *This change would require a change in the Charter. We don't want to submit the charter to the legislature, it would open up the possibility of a challenge to our control of Harvey Road.
- *This system would strengthen the perception of an "old-timers" clique. Voting is a right, not a privilege. We must fight cynicism and apathy.

Pro:

- *The Secretary and the Registration Committee already keep a record of who votes under our current system. Affidavits for reinstatement would be made readily available at Town Assembly. The Registration Committee makes an all-out effort to get out the vote.
- *A cover letter explaining this system should be included with each referendum. The threat of disenfranchisement might encourage people to vote.
- *This system would strengthen our democracy by giving control to those who participate.
- *Some people don't want to be involved. Their rights would be respected under this system/.
- *Our protection of Harvey Road stems from our inclusion in the National Register of Historic Places. This protection can be challenged by the Highway Department at any time.

Assessors - Aaron Hamburger

The public is invited to attend all meetings of the Board of Assessors. The public meetings, held for the express purpose

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of hearing complaints and suggestions, will be held the end of May and the first week in June.

Buzz Ware Village Center - Connee Wright McKinney

On 2/4 our committee sponsored a Valentine-making workshop organized by Ruth Bean and attended by lots of children and parents. Thanks to the adults and teens who helped out. On 2/17 & 24, the Third Annual Sunshine Foundation Fundraiser was held at the BWVC. We made packs of notepaper and cookies and sold crafts, white elephants, soup and sandwiches. The total of \$300 was donated to the Sunshine Foundation with a request that the money be used locally at the John J. Leach School of the orthopedically handicapped. Thanks to all who helped, particularly Barbara Fenske who "comes early and stays late."

Our committee will sponsor two programs in April. On 4/7, in room #4, we will be making Easter baskets and filling them with gifts for some older adults in the three Ardens. The baskets will be delivered by Arden Children. On 4/7, Lew Aumack will be teaching an introductory jewelry making class for residents-ages 13 and up.

We discussed the use of the greens and basketball blacktop behind the center during the WMA school hours. In addition to our committee review, we talked to Ann Dulin, the WMA contact at the BWVC. Our committee decided that simply posting the hours that WMA might be using the greens or blacktop, or WMA reserving specific times to use it, were not ideal solutions. It seemed that direct communication with the staff would be more to the point. Since we have already decided on a fall meeting with the teachers and staff at the BWVC (to explain snow removal policy, town use of the building, etc.), we felt that this was another item that could be discussed at that meeting. We want to promote common sense and courtesy in the shared use of these spaces.

We have gone ahead with replacement of the flat roof since the last town meeting. A small leak had started up again in the bathroom so we had to act. We did get reductions on both of the original bids and also got an additional price using traditional roll roofing and hot asphalt. Although their price was not the lowest, we went with Moore Roofing at \$4600 because their roofing materials of modified asphalt with a polystyrene layer seemed to be of higher quality and durability and Tim Moore was very experienced in applying this kind of roof. They hope to finish this Wednesday.

We would like to purchase two more tables and a filing cabinet for use in room #4. We are looking into prices now. If there is equipment that you would like us to consider, please contact a committee member. At a resident's request, we looked into purchasing a VCR, but felt it would not be used enough to justify the expense. Replacement of the doors is now on hold.

There have been 12 meetings and 3 special events since the last town meeting. Thanks to the Civic Committee for trimming the bushes at the BWVC.

Civic - Eugene Shaw

The storm sewer running from Sherwood Rd. to the woods has been replaced for two-thirds of its length. We used plastic pipe that will last indefinitely. The cost was \$2700.

The village roads seem to be in good condition this year.

DelDot has been contacted about the speed humps for Sherwood Rd. and around the Arden Green. As yet, we have not gotten the name of the contractor doing this work this year.

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I called the extension service at U.D. asking about practical ways of controlling the wold overgrowth of English ivy in our woodlands. As expected, the use of chemical killers, round-up and clean-up was the answer. With something of this magnitude our recommendation is to confine the ivy to its present point immediately and take our time about the possibility of eradication of the main body of it.

The fences at Harvey Rd. and Lower Lane and the Sweep have been repaired.

The New Castle County Conservation District reviewed the suggestions of the engineering report on the drainage problem on the Green. They agree with the suggestions proposed and had no new ideas to add.

Discussion:

Eventually we will have to deal with the ivy and vines that are crowding out the woods. The problem is not going to go away.

Gene was commended for his long service to the Civic Committee. He will be retiring after this meeting.

Community Planning - Ruth Bean

The committee held a meeting, followed by a walk, with the Civic Committee to examine the encroachment of ivy and vines into both sides of the woods.

There was a one-hour meeting with the Safety, Civic and Community Planning Committees to discuss ordinance #4 and possible solutions to problems with public use of the greens and commons. As a result of that meeting, we would like to present the first reading of an amendment to ordinance #4.

Any party who violates this ordinance and/or refuses to remove litter or repair damage in a timely manner shall be subject to a fine of \$50 and the amount of the clean-up.

I have been in contact with Trustees Rich Ubersacks and Bob DeNigris of Ardencroft and Ardentown in reference to two issues. One is the proposed traffic study of Harvey Rd. from I 95 to Marsh Rd. Both were very eager to see recommendations and sounded interested in a three-town final decision on whatever is suggested. So far, I have not heard and will contact Gwynne Smith once more in the near future.

The second issue was the Arden Book. Neither of the two were aware of the book's existence but they are ready to update information about their towns and would bring up the possibility of a three-Arden colaboration for the final book so they could also distribute it to their residents.

Dates to remember:

*Saturday, April 7. Clean-up day for the bank behind the Arden Club parking lot. 9 AM - noon. This is a joint Arden/Club project.

*April 21. Woods clean-up. 9:30 at the water tower on the Sherwood side, meet Gail Rinehart. Bring a heavy garbage bag and appropriate tools. 9 AM at Marsh and Miller for creek-side woods, meet Cecilia Vore. A team from Ardencroft, led by Shari Phalan, is going to come up from their end along the creek. For the first time, we expect some people from Indian Field to clear their side. Trail clearing, led by Lou Bean, can use about 3 people. Meet on St. Martin's Lane with pruning shears. Refreshments at noon at Cookie's.

*April 22-29. Earth Week. We feel the woods clean-up is a good kick-off. I have fliers available and welcome ideas. A good way to celebrate Earth week in Arden is for each

resident, leaseholder or renter to clean up around their property.

*Sunday, April 29. Sue Wells of the Delaware Nature Society will lead a wildflower walk for all Arden residents.

*Saturday. May 19. Memorial Garden clean-up. Last year we had a great time and did a superb job. Bring work gloves, tools, energy and room for goodies afterwards.

Playground - Larry Walker

Since the last Town Meeting, two playground equipment inspections were held and all necessary minor repairs were completed. All the equipment was tested by an adult to ensure that the swings, slides and other items were in safe condition. Additional mulch was added under all the equipment to provide a soft surface to land on when a child falls.

The committee has received requests from parents with small children that additional equipment designed for children under five should be installed on the Sherwood Green. During the next three years, we propose to install a park bench, a four foot high slide and a small swing set in the area of the Sherwood Green nearest the intersection of Sherwood and Sunset Rds. Already in that area are a jungle gym for younger children and a balance beam so the proposed new equipment would make a convenient area for very young children to play.

Registration - Pat Press

There are 390 eligible voters as of tonight's meeting.

New to town: Nancy Anderson, Jaci Barbehenn (Jannie Stearns' daughter), Tony & Laurie Colgan, Al Engberg, Philip Fisher, Mary Jane Gladnick, Mark Greg & Josiane Sawyer-Rey, W. Alfred & Kathleen Keiss (parents of Christine Demsey), Terry Menting, Susan Pietryk, Albert & Patricia Price (nee Tissa Harrold), Stuart & Gina Smith, John & Elizabeth Stevenson, Lynne Svenning (niece of Margaret Kazan), Jacqueline Tanzer (bride of Stephen Tanzer).

New Voters: Aicha Chalabi, Glenn & Trina Ernst, Sharon Handwerger, Marilee Kennedy & Ted Zink, Judy Klein, Joanna Naff (daughter of Anna Greene), Patrick & Victoria Vinson (nee Victoria Vinson), Gregory Ritter, Emory Edwards & Nancy Smidt, Neal Van Duren.

Arden Archives - Sally Hamburger

The committee is researching the available sources of archive information and support. Our immediate action plan is to attend the auction of Bill Frank's effect on April 1 to make sure that any Arden crafts or memorabilia stay in Arden.

We are beginning a list of the names of Arden houses. If you have any information along this line, please contact Pat Liberman. Do you know where "itsuitsus" is?

Our presentation tonight comes from the operetta GRUBBS CORNER or THE DUTCH ON THE DELAWARE. This musical, adapted from the music of Gilbert and Sullivan, was written by Frank Stephens with musical arrangement by Estelle Hillersohn Frankel. The original manuscript is typed on the back of blank petitions for the National Campaign for William E. Borah for the presidential candidate of the progressive voters of these United States in 1924 on the platform of the Committee of 48.

It is particularly fitting to do this piece tonight in honor of Bill Frank who played Peter Grubb. I remind you that the Arden-singers are still alive and hearty and will present RUDDIGORE this year.

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We are fortunate to have Mrs. Frankel, the musical arranger, with us tonight as well as the original Pocohantas, Rae Gerstine, and two choristers, Joan Colgan and Don Holcomb.

For this rendition of Pokerface's area, to be sung by John Dossett to the tune of "All Hail Great Judge" from TRIAL BY JURY, we need all of you to act as chorus. Jim Semenick has offered to lead you through a short rehearsal before the curtain rises.

This report was followed by a rousing rendition of Pokerface's aria supported by the chorus of the Assembly. It's not ready for the stage yet, but perhaps in the future?

Legislative Reference - Mary Brent Whipple

There has not been a meeting of the committee since the last Town Assembly. However, the committee was represented at the Arden Retreat and has made an active attempt to recruit candidates for the elections in March with limited success. A request was made for the committee to update the addendum incorporating the Safety Committee, Archives Committee and Legislative Reference by name into the document. There is also a question as to the Assessors Committee and we are working on the update at this time.

Safety - Tim Colgan

There have been two special police patrols since January.

A no-outlet sign has been posted on Hillside Rd. leading into the woods.

The "speed limit 20" sign on Millers Rd. near Mill Rd. was knocked down and re-installed.

The joint meeting of the Civic, Community Planning and Safety Committees concerning use of the Arden Greens addressed the following issues:

- *Community use vs. non-resident use
- *Parking violations
- *Drinking
- *Permit process
- *Process for dealing with violations
- *How far in advance do requests have to be made?

The Arden Greens are lands "dedicated to the public." This means we may make rules but they must be posted and must apply to residents and non-residents alike.

Permit activities supercede non-permit use. Blanket permits are issued for ACRA and the Arden Club (i.e. Independence Day, Arden Fair, etc.)

It was agreed that the rules and the number to call to obtain a permit should be posted; the rules should be printed in the Arden Page.

It was suggested that groups using the Field Theater be sensitive to the fact that small children are listening and that neighbors are nearby.

If violations are observed, the resident must be willing to lodge a formal complaint.

The emergency Preparedness Manual is still under review.

Discussion:

The police are aware of the preferred patrol times and supply us with activity reports every few months. The Town Watch should be notified of trouble spots.

Advisory - Marianne Cinaglia

Many thanks to the 24 Ardenites and 1 honorary Ardenite (Bob Wynn) who spent Saturday, March 7, at the Advisory retreat

in the Buzz Ware Village Center. Major topics considered were:

*Newcomers and nonparticipants

*Town Assembly and committee procedures.

Topics not considered will be dealt with at future Advisory meetings, at special meetings or at subsequent retreats.

Suggestions already implemented:

*Orientation meetings for new residents. A briefing on how the town works. The first one was held on March 12.

*Reminders about courtesy at Town Meetings.

*A ten minute agenda clarification period at the start of each Town Meeting.

*Two motions on the subject of committee function will be presented by Aaron Hamburger.

Suggestions in process:

*An ad-hoc welcoming committee to function under the Registration Committee. This committee will be appointed by the Advisory Committee in June. Those interested in serving in this capacity please contact Marianne Cinaglia.

*A pot-luck supper before the June meeting. A chairman is needed. How about you?

*Everyone's favorite suggestion - an Arden Flag. This suggestion comes from Leon Tanzer.

Thanks to Sally Hamburger for her article about the retreat in the Arden Page.

Special thanks was given to Marianne for organizing and running a productive and interesting day.

Moved that effective March, 1992, no resident may be an elected member of a committee for more than 6 consecutive years. At the effective date of this motion, the term of incumbents on a committee will be limited to 6 consecutive years less the number of consecutive years already served.

Discussion:

Didn't the retreat recommend a 4 year limit? This was the original proposal, but it was decided that 6 years would better avoid the problem of losing expertise. A person may serve again on a committee after a year's respite.

It is already difficult to fill the slates for committees.

Motion tabled for further consideration.

Moved that all committee chairpersons must submit to the Advisory Committee meeting in June a schedule of committee meetings for the period June through the following March.

Motion passed.

Report from the Brandywine Council of Civic Organizations

Lew Aumack

Lew described 5 development proposals currently under consideration:

1. Concord Mall expansion. This will increase the mall size by 50%. There is no need for rezoning but they must submit a traffic impact report. The Council is working to trim down this proposal.
2. Brandywine Country Club (Capano). No clear idea of use yet. No traffic impact study or water resources review.
3. Woodlawn Trustees. A proposed complex of offices, labs, businesses and homes. The developer is cooperative in keeping density down. A good development standard, favorably supported.

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4. Brandywine Town Center (Raceway). A two-story mall with 4 anchor stores, a two-story atrium with surrounding waterway. Must be trimmed down.
 5. Beaver Valley Project. Expansion of existing mall. No date set for hearings. This developer uses lots of preservation language.

Observations:

- *Mall developers all mention the same anchor stores.
- *This is a battle among developers. Each one wants only their own proposal to be considered.
- *Lew is writing a position paper on the need for reports on consumer needs. None of the proposals consider this need in their planning.

Discussion:

- *Should Arden be involved in dealing with consumer need? We shouldn't be against all development. We need more high quality retailing in the area.
- *When talking of density, Arden is a good standard of reference with 60% open land.
- *Focus on use-value. How does the development improve the community; make life more convenient or more difficult.

Naamans Creek communications

1. A copy of a letter from the Dept. of Public Works in response to a complaint from Clarence Lucas of 50 Chestnut St. re: flooding during storms. Mr. Lucas requested that a low wall dam, located on Arden property, across the creek be removed to lower flood water elevations. The agency made a site inspection and determined that the dam is not creating a significant restriction to flood flows along this section of Naamans Creek. No action indicated.
2. A letter from Councilman Richard Cecil responding to the motion of the January Town Assembly against channelization of the creek. He has referred the matter to the Dept. of Public Works.
3. Response from the Dept. of Public Works on Naamans Creek channelization. The gist is:
 - *There are no plans to channelize the creek in our area.
 - *Funding has been authorized by County Council to remove accumulated sediment from Lancashire to Naamans Rd. This measure is planned to reduce the probability of inundation of structures in the floodplain by providing full stream flow capacity.
 - *The department is planning a comprehensive study of the upper Naamans Creek basin to recommend flood reduction measures. They will keep us informed.

NEW BUSINESS

Moved that we rescind the previous directive to publish the rent list. There is little practical use for each resident to have a personal copy and the information is readily available at Rae's office.

Discussion:

Some residents were opposed to the publication on the grounds of invasion of privacy, others because of the cost. Anyone is welcome to have a personal copy of the list; Shaul Gladstone will be glad to make copies upon request.

Motion passed.

GOOD AND WELFARE

Remember to complete and return your census form.
Sally Hamburger, retiring Assembly Secretary, was thanked for her good service.

Meeting adjourned, 10:55 PM

Meeting Addendum - Election Results

ARCHIVES: Sally Hamburger, convener, Rowena Austin, Jean Brachman, Joan Colgan, Pat Liberman. Runner-ups are Ethel Monfort & Sue Rohrbach.

AUDIT: Marianne Cinaglia, convener, John Austin & John Wheeler. Runner-up is Christine Demsey.

BUDGET: Arthur Hurwitz, convener, & Christine Demsey. Runner-up is Larry Walker.

BUZZ WARE VILLAGE CENTER: Barbara Fenske, convener, Ron Enie & John Demsey tied for second place.

CIVIC: Lou Bean, convener, Bernie Brachman & Aaron Hamburger. Runner-up is Maryellen Jobson.

COMMUNITY PLANNING: Russell McKinney, convener, & Ed Rohrbach. Runner-up is Don Holcomb.

LEGISLATIVE REFERENCE: Steven Threefoot, convener, & Elizabeth Varley Walker.

PLAYGROUND: Larry Walker, convener, & Ellen Dolmetsch. Runner-up is William Busch.

REGISTRATION: Lanier Colgan, convener, Jean Brachman, Sally Hamburger & Patricia Press. Runner-up is Deborah Theis.

SAFETY: Peter Renzetti, convener, & Peggy Aumack. Runner-up is Tom Colgan.

TOWN ASSEMBLY CHAIRMAN: Bill Press

ADVISORY COMMITTEE CHAIRMAN: Marianne Cinaglia

TOWN ASSEMBLY SECRETARY: Irene O'Connor

TOWN ASSEMBLY TREASURER: Rae Gerstine

Sally Hamburger